



**Police & Crime
Commissioner**
FOR HERTFORDSHIRE

Planning Department
North Herts District Council
Council Offices
Gernon Road
Letchworth Garden City
SG6 3JF

Direct dial: [REDACTED]
Email: [REDACTED]
Hertfordshire Police ref: 25/01696/OP

8th August 2025
By Email only

Dear Sir/Madam,

Planning ref: 25/01696/OP – Outline application for the erection of up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS), and associated works with all matters reserved save for access.

Site: Land Southeast Of Holwell Road and North of Hambridge Way, Pirton Herts

Overview

The Police and Crime Commissioner for Hertfordshire (PCC) and Hertfordshire Constabulary (HC) are responsible for delivering policing services to this site, the district of North Herts and the wider Hertfordshire County. The proposed scheme constitutes a major new, mixed-use development which will place significant additional demands upon the emergency services, more specifically policing.

The police have a legal obligation to deliver the full range of policing services to new residents of the area and the PCC will need to invest in new infrastructure to support this development. This new population will justifiably expect the full range of policing services to be delivered to them to the same standard as the rest of Hertfordshire. Enabling these services requires that the necessary emergency services infrastructure be put in place, as is the case for any other public service.

This development will place permanent, on-going demands on Hertfordshire Police (the Constabulary) which cannot be fully shouldered by direct taxation. Like many other public services, policing is not fully funded via public taxation. This request outlines a number of the capital costs that will be incurred by Hertfordshire Police to enable safe policing of this development.

The infrastructure required to support this development is fully justified under the CIL regulations and this required infrastructure has been prepared in accordance with national best practice recommended by the National Police Chiefs' Council (NPCC). This methodology has been strenuously tested at many public inquiries nationally and found to be wholly in accordance with the statutory Community Infrastructure Levy (CIL) tests by the Secretary of State and Planning Inspectorate. This includes the approval of the same methodology and infrastructure types assessed and found to be compliant under the CIL regulations by the Secretary of State who considered the major development at Wisley Airfield with a decision issued on the 24th of May 2024 (APP/Y3615/W/23/3320175).

The application site is primarily greenfield land which has a negligible impact on policing. Once developed this site will create an additional demand upon the Police Service that does not currently exist. The Constabulary will need to recruit additional staff and officers and equip them appropriately.

Staff and officers will also need to be accommodated within premises that will enable them to serve the development efficiently. This request is proportionate to the size of the development and is intended to pay for

the initial capital costs resulting directly from the development and for the areas where the police do not have existing capacity. The request also explains how the police service is funded, outlines National Planning Policy support for policing contributions and highlights numerous appeal decisions where police requests for developer contributions have been upheld by the Secretary of State.

We will go into further detail on the various items of infrastructure and provide evidence of their compliance with CIL Regulation 122 tests.

The proposed development

The starting point in assessing the scheme from a police infrastructure perspective is to clearly understand what is being proposed. Planning Application 25/01696/OP seeks to provide 130 new homes with public open space, landscaping, sustainable drainage (SUDS) and associated works.

The land is currently largely undeveloped open fields. The supporting documentation for 25/01696/OP that the scheme will deliver 40% affordable housing through a mixture of shared ownership and social rented units. The specific mix of dwellings has not been stipulated at this stage.

The overall total number of units proposed provides a reliable basis for gathering 'baseline' data in terms of likely local policing demand and deployment.

Section 1 - Police Funding and Development Growth

A primary issue for the Constabulary is to ensure that new development, like that proposed by application 25/01696/OP makes adequate provision for the future policing needs that it will generate. The constabulary's primary funding is insufficient to be able to add capital infrastructures to support new development when and wherever this occurs. Furthermore, there are no bespoke capital funding regimes to provide capital either. The police therefore fund capital infrastructure through borrowing. However, in a service where most of the budget is staffing related, the Hertfordshire Police capital program can only be used to overcome pressing issues with existing facilities, or to re-provide essential facilities like vehicles once these can no longer be used.

Nationally, the Police endeavor to use our existing funds as far as they stretch to meet the demands of an expanding population and overwhelmingly for revenue purposes. However, it is the limit of these funds which necessitates the need to seek additional contributions via Section 106 requests and the CIL. This situation also prevails in other public services seeking contributions and there is nothing different here as far as policing is concerned. What is different is that the police do not enjoy capital income from the usual taxation sources.

The reality of this financial situation is a major factor in our Forces planning and alignment with plans for growth in that whilst the Police can plan using their revenue resources to meet their on-going, and to a limited extent, additional revenue costs these do not stretch to fund necessary additional investment in their infrastructures.

The Police will continue to engage with Local Planning Authorities to ensure crime prevention is referenced within new local plan documents and provide crime prevention design advice to minimise the opportunities for crime within new development. Ensuring new development takes full consideration of crime prevention and the provision of adequate infrastructure to support policing is clearly outlined within the National Planning Policy Framework (NPPF, December 2024), relevant sections of the Planning Practice Guidance (PPG) and Section 17 of the Crime and Disorder Act 1998 (as amended).

Paragraph 20 of the NPPF states '*Strategic Policies should set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking) and make sufficient provision for: infrastructure for transport, telecommunications, security...*'. In addition, paragraph 96 of

the NPPF 'Promoting healthy and Safe Communities'] states that '*Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...*'. Furthermore, paragraph 102 of the NPPF states '*Planning Policies and decisions should promote public safety and take into account wider security and defense requirements by, anticipating and addressing possible malicious threats...this includes appropriate and proportional steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and recognising and supporting development required for operational defense and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*'

In the support of this request the following information is provided by the Director of Finance at Hertfordshire Police and is a detailed commentary on Hertfordshire Police's budget, which underpins the above statements:

National funding

Hertfordshire Police receives 56% of its funding from central government, and 44% from local taxation (precept). Central government funding comprises of the Home Office Core Funding Settlement, the Ministry of Housing, Communities and Local Government (MHCLG) Formula Funding, (together these are referred to as Central Government Grant or 'CGG' for the purposes of this submission) and legacy Council Tax Grants (LCTG). LCTG are fixed and some elements of this are time limited, therefore, LCTG are not affected by variations in the funding formula.

The current distribution of CGG was calculated by the Police Relative Needs Formula circa 20 years ago. Hertfordshire also benefits from the Area Cost Adjustment which direct additional funding to a number of forces to reflect the higher costs associated with operating in the Southeast of England. Since then, uniform percentage increases to grant have been applied to each Police Force. Reform of the Police Funding formula has been a matter of debate for many years, no government has chosen to implement a revised formula. As such, if a new formula with updated underlying data and potentially the removal of the Area Cost Adjustment, was introduced, there is potential for significant movement to the current level of funding and corresponding risk and uncertainty.

For 2025/26 the force received net cash increase of £5.2m (3.45% increase) and resultant overall CGG of £145.017m. The increase includes funding to mitigate the impact of the 4.75% pay award for both police officers and staff from 1 September 2024.

The Force will also receive a number of specific revenue grants in 2025/26 including:

- Police Uplift Programme (PUP) maintenance funding - £5.342m (£1.720m decrease from 2024/25) where receipt is contingent upon maintaining officer numbers at or above 2,405 head count.
- Additional Recruitment Top-Up Grant £1.284m to be paid to forces who have received additional recruitment allocations under PUP.
- Police Officer Pension Grant - £6.444m (£0.430m decrease from 2024/25). To cover the cost of increases to the employer's contributions from 31.0% to 35.3% for police pensions that resulted from the latest national valuations. The grant is therefore fully committed to covering this significant additional cost of police officer employment.
- National Insurance Increase - £3.966m. At the Autumn Budget, the Chancellor announced the rate of employer National Insurance will increase by 1.2 percentage points, to 15% from 6 April 2025 and the threshold at which it is paid will be lowered to £5,000. The cost to Hertfordshire is estimated at £4.394m which is higher than our share of funding.

- Neighbourhood Policing - £3.052m (New Grant) provided to deliver the first steps of the Government's Neighbourhood Policing Commitment in 2025/26. The government has set a national 13,000 increase to Neighbourhood Policing target over four years. The grant is ring fenced to the cost of newly recruited officers and staff and as such is fully committed.

The above grants a ring fenced for revenue expenditure predominantly the cost of employment for officers and staff. It is the force's view that it can be stated with reasonable certainty that even if there were further increases in central funding because of development growth, this funding would be fully utilised in contributing to additional salary, revenue and maintenance costs (i.e. not capital items and not what is claimed here). This funding, therefore, would not be available to fund the infrastructure costs that are essential to support the proposed development growth.

The time horizon of the financial planning is not determined by the time horizon of financial support available from central Government. This is currently only known for the 2025/26 financial year. The publication of the next Comprehensive Spending Review is expected in June 2025 – however whilst past reviews have tended to be multiyear for the Home Office, they have not given details of the resultant police settlement. It is worth noting the recent years have steady move to the ring fencing of additional funding. The unknown outcome of the upcoming Spending Review adds uncertainty and raises further questions about future funding levels, policy changes, employment rights, sustainability, tax, and levies, and how each of these may result in changes to current and future plans. The greater the uncertainty about future central Government policy, the greater the need to demonstrate the PCC entity's long-term financial resilience, given the risks attached to its core funding.

Local funding

Hertfordshire Police (precepting body) place a demand (or precept) on the district and borough councils in its area (billing authorities) for a sum of money to be raised through the council tax. The amount to be raised is divided by the Council Tax Base (CTB) or the number of households arriving at an average Band D council tax, from which all other bands of council tax are determined. The growth in the council tax or the amount each household pays is decided by the Police and Crime Commissioner (PCC), having regard to the MHCLG rules concerning the need to hold a local referendum where the proposed spending increase in the precept is above a prescribed threshold, currently (2025/2026) £14 per Band D property.

Following consultation with the Police and Crime Panel, the Hertfordshire PCC gained approval to raise the by £15 for the 2025/26 year to an average of £265.00 for a Band D property. This uplift represents a 5.6% of the average (Band D) council tax and would continue to place Hertfordshire as the 5th lowest precepting body in England & Wales. This will raise an additional £7.3m to support the Hertfordshire PCC's 2025-26 budget.

There remains potential for the council tax yield to increase simply through growth in the CTB. However, it should be noted that the CTB is reduced for discounts and exemptions provided under the Local Council Tax Benefit Scheme (LCTBS) and may also be affected by collection rates. Therefore, a growth in households might not lead to a growth in council tax yield where those households benefit under the LCTBS.

Since 2022/23, the force's tax base has consistently fallen below the national average. The tax base for 2024/25 was disappointing, with growth of only 0.54%. This is followed by another low increase of 0.5% reported for 2025/26. This again lags behind the national average growth in council tax base of 1%.

The additional funding generated by council tax in 2025/2026 will reduce the severity of the Force's previous savings target. However, even with a £14 increase in the precept and use of other resources, including earmarked reserves, it will not be enough to balance the budget and offset the large cost increases that are anticipated, leaving the requirement to make £7.2m of savings to balance the budget for 2025/26. These savings will be achieved in areas including the phased removal of Police Office Temporary Variable Payments, Department Efficiencies, further efficiencies in BCH collaborated units, removing police staff vacancies in non-operational roles, and reviewing the workforce mix in areas where it is appropriate for police officers to perform

staff roles, such as investigating crime.

Most importantly, the higher council tax precept will allow our PCC to retain and invest in our workforce to support the Hertfordshire PCCs Police and Crime Plan 2025-29 titled 'Fighting Crime, Making Hertfordshire Safer' and achieving the following priorities:

- Priority 1 - Make Hertfordshire safer
- Priority 2 - Strengthen local policing and build public confidence
- Priority 3 - Tackle crime and anti-social behavior
- Priority 4 - Protect people from violence, abuse and exploitation
- Priority 5 - Bring offenders to justice and support victims

Capital Funding

The Government stopped providing an annual grant to support the capital and investment programme from 2022/23 and this has continued for the third consecutive year. However, specific capital grants may be issued for specific capital investment, for example, the Emergency Services Network. For many years Hertfordshire PCC benefitted from substantial capital reserves, supported by capital receipts from the sale of operational buildings. Most of these resources have now been utilised and as we move forward through the next 4 years and beyond, there is the necessity to fund through external borrowing offset using capital receipts as and when these can be generated. The capital financing approach remains to maximise the use of Capital Receipts to support the capital programme whilst maximising the overall benefit in underpinning the Revenue budget.

Local Authorities, including the PCC, can set their own borrowing levels based on their capital needs and their ability to pay for the borrowing. The levels will be set by using the indicators and factors set out in the Prudential Code. The borrowing costs are not supported by the Government so Hertfordshire Police need to ensure they can fund the repayment costs. The Minimum Revenue Provision Statement sets out a prudent approach to the amount set aside for the repayment of debt. Borrowing is to be used to cover long life assets only.

Since there is no support from the Government with a Capital Grant, low reserve levels and as the pool of assets available for sale declines the financial support from these receipts diminishes, any local capital investment creates an additional financial burden on Hertfordshire Police which will need to be funded through borrowing. With diminishing reserves and the implications of borrowing such as high interest rate, both alternative funding mechanisms are inadvisable.

As demonstrated in the PCCs budget report 2025/26, the force's capital program will be funded largely through borrowing with 18.43m required for the 2025/26 financial year (Hertfordshire PCC 2025/26 Budget Report).

Conclusions on funding

Despite increases in the Council tax yield, the Hertfordshire Police Medium Term Financial Strategy (MTFS) 2025/2029 identifies that there remains a requirement to make £7.2m of savings to balance the budget for 2025/26 and £14.4m by 2028/29. This is the 'budget gap' i.e. the difference between funding and the cost of policing which will need to be met by savings.

Like many other public sector organisations, Hertfordshire Police have seen a real-term reduction in grant funding in recent years. At the same time the demands placed on the police service increase, whilst the service must deal with the changing nature of crime at both the national and local level, for example, cybercrime, child sexual exploitation and terrorism are areas of particular concern. Additional funding granted towards policing will support and sustain local policing services for Hertfordshire residents.

It remains necessary to secure Section 106 contributions or direct CIL funding for policing infrastructure, due

to the direct link between the demand for policing services and the changes in the operational environment beyond Hertfordshire Polices control i.e. housing growth and the subsequent and permanent impact it has upon policing.

Whilst national and local funding must continue to cover salary and maintenance costs, there would be insufficient funding to provide the infrastructure required for officers to carry out their jobs effectively, Hertfordshire Police consider that these infrastructure costs arising directly as a result of the development proposed and that funding for the police under S106 or CIL is both necessary and justified.

Securing modest contributions means that the same level of service can be provided to residents of new development as it is to existing residents and without compromising frontline services. The consequence of no funding is that existing infrastructure will eventually stretch to breaking point, and none of the communities we serve will receive adequate policing.

Section 2 – Assessment and Request

The Constabulary have undertaken an assessment of the implications of growth and the delivery of housing upon the policing of St Albans and in particular the areas of this district where new development is being directed towards. We have established that in order to maintain the current level of policing, developer contributions towards the provision of capital infrastructure will be required. This information is disclosed to secure essential developer contributions and is a fundamental requirement to the sound planning of the district. In the absence of developer contributions towards the provision of essential policing infrastructure, Hertfordshire Police would raise **objection**, as the additional strain placed on our resources would have a negative impact on policing of both the development and force-wide policing implications within the district.

This submission will provide the most recent annual statistics for crime/incidents in St Albans which will be compared to the number of existing households. This provides an incident per existing household (or person) within St Albans which can then be used as the background to the various items of infrastructure outlined in this funding request.

Nationally, the Police Force ensure that we take regular legal advice and guidance from industry professionals on the applicability of NPPF tests relating to the application of Regulation 122 on our funding requests for S106 agreements and Infrastructure Development Plans. This included advice as to what infrastructure is which can be summarised as follows:

The first point to note is that ‘*infrastructure*’ is not a narrowly defined term. Section 216 of the Planning Act 2008 provides a list of “*infrastructure*” but is clear that that list is non-exhaustive. That fact is demonstrated by the use of the word “*includes*” prior to the list being set out. This issue was highlighted within the Levelling Up and Regeneration Act under the now curtailed Infrastructure Levy. This legislation read as follows:

(3) In this section (except subsection (40) and sections 204G, 204O (2), 204P(2), 204Q and 204Z “infrastructure” includes -

h) facilities and equipment for emergency services and rescue services.

There is no difficulty in the proposition that contributions towards Police infrastructure can be within the definition of infrastructure for the purposes of the 2008 Act. In policy terms this is reinforced by the reference to security infrastructure in paragraph 20 of the National Planning Policy Framework (December 2024). The extensive catalogue of appeal decision demonstrates that infrastructure is not limited to buildings and could include equipment such as vehicles, communications technology, and surveillance infrastructure such as CCTV.

The submission set out below is based on the same methodology previously found sound by Planning Inspectors,

the Secretary of State and the High Court. The costs included in this submission are sites specific costs which are envisaged to be secured via a Section 106 agreement. The significant costs relating to revenue will be met by local and national taxation.

Section 3 – Current Policing requirements in the District of North Herts

Hertfordshire Police's existing estate

At present, policing in North Herts is delivered from Letchworth, Hitchin and Royston Police stations, however this particular site would be served by Hitchin Police station. The constabulary has occupied the Hitchin Police Station site since the 1960s.

The estates team has undertaken a full assessment of our sites across Hertfordshire and identified police stations where we have issues with existing capacity and obsolescence of buildings causing us to be unable to support additional officers and staff required due to population growth. This study shows that we need to replace both Hitchin and Letchworth Police Stations, due to them not meeting current or projected operational demands. The current provision within the Hitchin Police Station has very limited existing capacity and cannot support additional staff or officers to mitigate against this development. This base supports front line policing and other neighbourhood policing roles which will be required to support this development.

[REDACTED] The constabulary are therefore seeking a financial contribution towards this project appropriate to the number of officers / staff required to police this development.

Hertfordshire Police's current policing requirements and projections

For the last year (2024) Hertfordshire Police recorded 25,269 incidents within the District of North Hertfordshire. To determine the current policing requirements per household or individual persons, an approximate estimation of the number of households and population in the district is required. The 2021 census listed 56,732 households and 133,210 persons living in North Hertfordshire with an average household size of 2.35 persons. The MHCLG Housing Delivery Test records show there has been 1,208 new dwelling completions over the last 3 years taking the total number of dwellings in North Hertfordshire to 57,940 households and a population of 136,159 persons.

Taking into account the number of recorded incidents and current population of North Hertfordshire this results in 0.436 incidents per household (25,269 / 57,940) and 0.19 incidents per person (25,269 / 136,159) that require police attendance in the North Hertfordshire district each year.

The Constabulary have a duty to respond to all incidents and many of these incidents are not recorded as crimes. We deliver crime prevention and presence, attendance and service lead at emergencies e.g. RTA's or flooding, counter terrorism and community reassurance.

We must also attend all incidents involving deaths, attend crowd and events policing, attend and input in community safety and crime partnerships, and provide referral responses when there are expressed concerns about the safety of children, the elderly and those with special needs.

Section 4 – Breakdown of predicted incidents as a result of population increase

The proposed development of 130 residential units would have an estimated population of 325 persons (using average household size of 2.5 persons). Applying the current ratio of 'incidents' to predicted population then the

development would generate an additional 60.3 incidents per year for Hertfordshire Police to attend (0.19 x 325). These incidents are likely to result in 15 additional recorded crimes per year attributed to this new development.

Section 5 – Current breakdown of policing delivered in North Hertfordshire

Current statistics show that Hertfordshire Police employ **2,334** officers in active duty delivering policing to the residents of Hertfordshire (excluding officers on career breaks or seconded outside of the force). These roles can be categorized into dedicated policing teams delivering local policing and response teams; and Force wide policing teams delivering specialist policing services across the county such as Firearms, Major crime and counter terrorism.

Only departments made up of 5 or larger officers have been included within Force wide staff and officers which removes specialist officer roles which are not clearly directly tied to population growth (ex: Chief Inspectors, specialist management functions).

In total the Local Authority of North Hertfordshire is served by the following numbers of staff and officers: ^{(all figures=FTE).}

Police officers

127 dedicated uniformed Officers

Local Policing Command Team (Intervention / Response officers), Investigations officers, Tactical Resource officers, Public Protection officers, Victim Services Team.

92 Force wide officers

A large number of our officers deliver force wide policing in a variety of roles including Operations, Safeguarding, Firearms, Major crime, Public protection, Specialist crime, Custody, Communications, Professional standards and Training roles.

There are 1038 Force wide officers which deliver policing to the whole of Hertfordshire and are vital to the operation of all types of policing including the functioning of neighbourhood policing. Taking into account into account that 8.82% of all incidents managed by Hertfordshire Police occur in North Hertfordshire, 92 force-wide officers are required for the policing of this district.

Police staff

Hertfordshire Police currently employs **1,729** support staff delivering policing to the residents of Hertfordshire. These roles can be categorized into dedicated support staff such as police enquiry officers and facilities assistants, Force wide support staff roles such as public protection, joint transport services, crime justice & custody, communications departments and specialist crime command.

Only departments made up of 5 or larger officers have been included within Force wide staff which removes specialist staff (such as the office or the Police and Crime Commissioner etc.) which are not considered directly tied to population growth.

17 dedicated support staff

Police Community Support Officers, Police Enquiry officers, Facilities officers, Facilities Assistants

114 Force-wide support staff

The majority of our support staff functions are delivered in a force-wide capacity. Only departments with over 5 or more support staff members have been included within this field which removes specialist roles within Hertfordshire Police which capacity is not directly related to population increase. There are 1296 support staff within these various major support staff departments including Specialist crime command, Public protection, Operations, Human Resources, Communications departments and Joint Transport Service. Taking into account that 8.82% of all incidents managed by Hertfordshire Police occur in North Herts, 114 support staff are currently required to support policing in North Herts.

Dedicated officers	127
Force wide officers	92
Dedicated support staff	17
Force wide support staff	114

Currently 25,269 incidents were attended by 219 officers per year in 2023/24 which is a ratio of 115.4 incidents per officer per year. To retain this current ratio of 115.4 incidents per officer per year, an additional 60.3 incidents per year would require 0.52 additional officers (52% of the Force's current officer workload).

In addition to the significant impacts this development would place on local policing teams, this development would also require significant investment in our support staff capacity. As we have shown, approximately 131 police staff are required to support policing to the 57,940 households in 2023/24. This is a ratio of 442 households per staff member. Therefore, an additional 130 households would require 0.29 additional support staff to retain this existing ratio.

Additional officers/staff required as a result of 130 new homes

Total Additional Officers Required	0.52	60.3 (expected No. incidents arising from development) / 115.4 (No. incidents attended per year by an officer)
Total Additional Support Staff (Local/Central)	0.29	(130 / 442) (no. of new households / Existing no of support staff per household)

Section 6 – Breakdown of predicted costs

In order to mitigate against the impact of growth our office have calculated that the capital 'cost' of policing new growth as a result of this major planning application equates to **£29,182.86**.

These funds would be used for the future purchase of infrastructure to serve the proposed development.

This cost will now be broken down clearly to show the capital infrastructure required to support these new officers.

The contribution requested will fund, in part, the following items of essential infrastructure and are broken down as follows;

Officer Set-Up

Officer start-up costs	Cost of items	No. Required	Total cost
Start-up equipment costs laptop, smart phone, tazer, body worn camera.	£4,814.00	0.52	£2,503.28
Start-up recruitment and initial training cost	£5,544.34	0.52	£2,883.06
Total cost	£10,358.34		£5,386.34

Support staff Set-Up

Support staff			
Start-up equipment (workstation, IT equipment)	£1,791.83	0.29	£519.63
Start-up recruitment cost & training	£3,390.00	0.29	£983.10
Total cost	£5,181.83		£1,502.73

Hertfordshire Police would utilise the contribution in the following manner.

- **£5,386.34** as a pooled payment towards the cost of one dedicated officer in the Hitchin Rural Policing Team to deliver policing to the site and surrounding area to be based at Hitchin Police Station.
- **£1,502.73** as a pooled payment towards the full cost of one additional dedicated support staff member to be based at Hitchin Police Station.

Estate provision / premises

At present, Neighbourhood policing in North Hertfordshire is delivered principally from Hitchin Police Station. Hitchin Police Station accommodates various functions including local policing, response and roads policing teams that would serve new development occurring across the district.

Our office has undertaken a full capacity analysis of our sites across Hertfordshire and identified police stations where we have issues with obsolescence of buildings and existing capacity and would therefore be unable to support additional officers and staff required due to population growth.

As stated in section 3, the existing policing point at Hitchin Police Station is at capacity and the building is obsolete, meaning a new Police station building is being sought and will be adapted to accommodate the different police functions. Any new officers/staff required as a result of this development will need to be accommodated on-site within this new proposed building. A financial contribution equivalent to the uplift in officers/staff required as a result of this development is therefore sought from this development.

Hertfordshire Police are required to maintain a high capacity of accommodation for staff and officers, with any additional capacity delivered via new works to provide floor space. Taking an average of the floor space provision over our sites in Hertfordshire which deliver neighbourhood policing we have determined that each new officer/member of staff should be allocated approximately 7.59sqm of office floor space. We are also required to provide a minimum of 1sqm for officers/staff for storage (locker room etc). This brings the total space requirement to 8.59sqm. Hertfordshire Police would utilise BCIS cost index for extension/adaptions of police station which is currently £2,632/sqm.

The cost of accommodating a minimum of 0.81 additional officers/staff (which are required to police this development) would therefore be $8.59 \times £2,632 \times 0.81 = \text{£18,313.19}$.

Vehicles / fleet investment

A vital part of providing effective policing to the residents of North Hertfordshire is maintaining the large fleet of vehicles. These vehicles range from General Response Vehicle (GRVs or patrol cars), unmarked general support vehicles, Public Service Unit vans and minibuses, scientific (e.g. Scene of Crime Officers) vehicles, pursuit vehicles – 4 x 4 and high speed, motorcycles. Current fleet deployment in North Hertfordshire administrative area (serving 57, 940 households) currently consists of 33 active dedicated vehicles and 4 force-wide vehicles.

Maintaining our force wide fleet is essential to the success of Hertfordshire Police and important to enable the force to efficiently combat cross-border crime. There is currently no capacity to provide additional vehicles in line with development growth at present and our budget is required to replace and maintain vehicles at their end of life. Contributions towards additional police vehicles have commonly been sought via developer contributions to meet the increased demands on our service because of development growth.

The average capital cost of a new vehicle is £23,974.60 (not including fuel and maintenance). Our guideline for the majority of marked vehicles is to replace every four years or 125,000 miles. The condition of vehicles at the end of their police life varies, however Hertfordshire Police forecast that they will redeem, on average 5% of a vehicle's value on disposal. The proposed development will require fleet investment far exceeding 4 years therefore Hertfordshire Police would require at least an 8-year life of provision. This contribution is justified because there is insufficient funding within the police's revenue income to take on the capital cost after just four years, without diverting money from elsewhere.

37 vehicles at net value of £887,060.20

Existing number of households in North Hertfordshire (57,940) = £15.31 per Household (£887,060.20 / 57,940) x 130 Households x 2 = **£3,980.60** to give 8-year life of provision.

Hertfordshire Police would utilise the contribution in the following manner;

- **£3,980.60** as payment towards one additional vehicle in the Hitchin Rural Policing Team to deliver policing to the site and surrounding area. Additional secured contributions would be put towards the replacement of this vehicle after 4 years at a cost of £22,775.87 per vehicle (taking into account 5% redeemed value at end of life).

The same methodology has been used to calculate our fleet requirement as the Warwickshire police representation which has been supported in the recent appeal decision concerning contributions towards policing (**Appendices 2** - APP/R1845/W/17/3173741) issued on the 14th March 2018. Hertfordshire Police consider this would be the most appropriate methodology to use in this and all future section 106 requests.

	Department	Number of vehicles
Divisional	Crime management, Local command, Local investigations, Neighbourhood Policing Teams, Neighbourhood Response Teams, Response investigations	27
Force wide	Crime support command, Dogs section, Firearms, Intel, Licensing, Major investigations, Public protection, Traffic, Training.	4 (as a proportion of force-wide fleet of vehicles used in St Albans).

Section 7 – Compliance with National Policy and CIL Regulations

Following the abolition of CIL regulation 123, the funding of infrastructure is no longer restricted to five separate developer contributions. Within St Albans the majority of policing is carried out by the Local Policing Team / Community Safety Partnership teams, therefore our office would recommend funds received from Section 106 agreements should be spent directly on supporting these teams. Therefore, when contributions from new housing development are pooled it is sensible to do this based on LPT / CSP team areas which in the case of this development is the St Albans Central, North and West Local Policing Team.

The assessment for these infrastructure contributions is outlined in CIL Regulation 122, which requires each item to meet the following three tests. From the numerous appeal Secretary of State decisions and High Court judgements there is significant evidence that all the items listed in this request comply with CIL Regulation 122.

The costs of training officers have been included in this request and have been found sound (and compliant with Regulation 122) in numerous appeal decisions included as **Appendix 2**. In the respect of training, the Sketcheley house decision (page 19 of **Appendix 2**) makes specific reference to ‘protective clothing, uniforms and bespoke training’ and were endorsed by the Inspector in his report at paragraph 11.57 and by the Secretary of State at paragraph DL22.

It is therefore plain that the Secretary of State and numerous Planning Inspectors consider that the NPPF is capable of encompassing these types of infrastructures.

1. Necessary to make the proposed development acceptable in planning terms

The creation of safe and accessible environments where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion is fundamental to planning for sustainable development as confirmed in the National Planning Policy Framework (NPPF, December 2024). North Hertfordshire have an adopted Local Plan Policy concerning infrastructure which requires developer to contribute towards on and off-site infrastructure (SP7). This policing is stated as follows:

Local Plan Policy SP7 – Infrastructure Requirements and Developer Contributions:

The Council will require development proposals to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development. We will:

- (a) *Require developers to provide, finance and / or contribute towards provision which is fairly and reasonably related in scale and kind to the development, including:*
- i) *on-site and/or off-site improvements and infrastructure necessary as a result of the development in order to:*
- *ensure appropriate provision of facilities and infrastructure for new residents;*
 - *contribute toward addressing cumulative impacts that might arise across multiple developments;*
 - *avoid placing unreasonable additional burdens on the existing community or existing infrastructure;*
 - *mitigate adverse impacts where appropriate; and/or*
 - *enhance critical assets or make good their loss or damage; and*
- ii) *maintenance and/or operating costs of any such new provision;*
- (b) *Ensure essential new infrastructure to support new development is will be operational no later than the completion of development or during the phase in which it is needed, whichever is earliest;*
- (c) *Refuse planning permission where appropriate agreements or processes ensuring criteria (a) and (b) can be met are not in place;*
- (d) *Have regard to relevant national guidance or requirements in relation to planning obligations and any Community Infrastructure Levy or successor funding tariff which may be introduced by the Council;*
- (e) *Work with landowners, developers and other agencies in facilitating the delivery of sites identified in the Local Plan and associated infrastructure and seek to overcome known obstacles; and*
- (f) *Need robust evidence to be provided where developers consider that viability issues impact upon the delivery of key infrastructure and/or mitigation measures. This evidence will be used to determine whether an appropriate and acceptable level of contribution and / or mitigation can be secured.*

In addition, The North Hertfordshire District Council Planning Obligations SPD includes references to Policing and Police Infrastructure as follows:

7.9.7 The council will therefore require development, where required and appropriate, to contribute towards the delivery of policing infrastructure to serve new developments and mitigate against their impact upon existing police resources.

7.9.9 Where it is expected that the proposed development will generate a need for extra policing, resources and extension to or new police buildings, this will be sought through legal agreements.

The Secretary of State has recognised that it is not a rigid requirement to have express reference to policing within local planning policy because the overarching principle of ensuring safe communities is recognised in the NPPF. The Planning Inspector in the case of North-west Leicester District Council vs Money Hill Consortium (**Appendix 2**) stated:

62. The obligations of the Undertaking, other than that to support Police operations, are all related to requirement of development plan policies and are all necessary to make the development acceptable in planning terms. They are all furthermore, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development. The Legal Agreement, setting aside the Police contributions, therefore complies with Regulation 22 of the CIL Regulations 2010. Furthermore, taking into account the submissions of NWLDP, LCC and LP, the Agreement complies

with Regulation 123 of the CIL Regulations 2010.

63. The contributions of £219,029 towards Police infrastructure is not related to requirement of development plan policies. The figure has been arrived at following a close and careful analysis of the current levels of policing demand and deployment in Ashby. The proposed development, in terms of population increase, would have a demonstrable effect on the ability of the Police to carry out their statutory duties in the town. LP has not sought any contribution to some aspects of policing, such as firearms and forensics, but only for those where there is no additional capacity. The contribution is necessary because the new housing that would be created would place a demonstrable additional demand on Police resources in Ashby. The financial contributions to Police operations thus satisfies Regulation 122 of the Community Infrastructure Levy Regulations 2010 and a provision of the Undertaking would ensure that the contribution also satisfies Regulation 123 of the Community Infrastructure levy Regulations 2010.'

The importance of policing contributions is importantly recognised in recent court judgments and considered an essential core principle of the NPPF. The judgment of Mr Justice Green 01/11/2016 (**Appendix 1**) with regard to the High Court challenge of Jelson Limited vs Secretary of State for Community and Local Government (1) Hinkley and Bosworth District Council stated:

The gist of the Inspectors reasons are adequately set out in paragraphs [44]-[47] (see above). She records that LP has adequately demonstrated that the sums would be spent on equipment and services which arose "...Directly from the new households occupying the proposed development". Accordingly she concluded, in terms of causality, that there was a proper nexus between the expenditure and the new development. She also records that the proposed spending was properly attributed between individual projects and procurement such as property adaption and contributions towards a vehicle in order to prevent a need for pooling contributions.'

Mr Lambert cited empirical data based upon existing crime patterns and policing demand and deployment from nearby residential areas which established the direct and additional impacts of the development upon local policing. That data established that there would be an incremental demand in relation to such matters as calls and responses per year via the police control centre; an increase in annual emergency events within the proposed development; additional local non-emergency events which trigger follow-up with the public; additional recorded crimes in the locality based upon beat crime and household data and a proportionate increase in anti-social behaviour incidents an increase in demand of patrol cover; and, an increase in the use of vehicles equating to 12% of an additional vehicle over a six year period.'

Moreover, the wider principles of sustainable development within the NPPF also require consideration of all necessary infrastructure requirements, as observed by Foskett J in R. (Police and Crime Commissioner for Leicestershire) v Blaby DC and others (**Appendix 1**). This judgment stated:

11. It is obvious that a development of the nature described would place additional burdens on local health, education and other services including the police force. The focus in this case is upon the effect upon the local police force. If it sought to shoulder those additional and increased burdens without necessary equipment (including vehicles and radio transmitters/receivers for emergency communications) and premises, it would plainly not be in the public interest and would not be consistent with a policy that encourages "sustainable development": see for example, paragraphs 17 of 79 of the National Planning Policy Framework (NPPF). It is that that leads to the Claimants interest in the matters.'

As shown in section 1, there is no dedicated Government funding to comprehensively cover the capital costs associated with policing new housing development. Unless contributions from new developments are secured then Hertfordshire Police would be unable to maintain the current levels of policing with resources diverted and stretched, inevitably leading to increased incidents of crime and disorder within the local area. Hertfordshire Police strive the reduce the level of crime in the County, however, due to the significant numbers of new housing being brought forward the need for more front-line staff and associated infrastructure has never been more relevant as a fundamental planning policy consideration.

Appeal decision APP/C3240/W/16/3144445 (**Appendix 2**) issued on the 21st March 2017 provides further support for developer contributions towards the capital costs of additional policing infrastructure arising from new development. The Planning Inspector stated:

165: There is no doubt that the proposed development would generate a need for policing and that need would require additional resources which have been calculated on a pro-rata dwelling basis. The Framework identifies a need for safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. In addition, an extensive array of appeal decision supports the principle of police contributions. Overall, the balance of the evidence before me points to the obligation (based on the underlying pro-rata calculation) being necessary and proportionate mitigation for the development.'

We would also bring to attention dicta from the High Court judgment by Mr Justice Foskett in *Police and Crime Commissioner for Leicestershire vs Blaby Council* (**Appendix 1**). Paragraph 61 and 62 of the judgment state:

61. I do not, with respect, agree that the challenge mounted by the Claimant in this case can be characterised as a quibble of a minor factor. Those who, in due course, purchase properties on this development, who bring up children there and who wish to go about their daily life in a safe environment, will want to know that the police service can operate efficiently and effectively in the area. That would want to know that the police service can operate efficiently and effectively in the area. That would plainly be consumer view" of the issue. The providers of the service (namely, the Claimant) have statutory responsibilities to carry out and, as the witness statement of the Chief Constable makes clear, that itself can be a difficult objective to achieve in these financially difficult times. Although the sums at stake for the police contributions will be small in comparison to the huge sums that will be required to complete the development, the sums are large from the point of view of the police.

62. I am inclined to the view that if a survey of local opinion was taken, concerns would be expressed if it were thought that the developers were not going to provide police with sufficient contribution to its funding requirements to meet the demands of policing the new area: lawlessness in one area can have effects in another nearby area. Miss Wigley, in my judgment, makes some entirely fair points about the actual terms of the section 106 Agreement so far as they affect the Claimant.'

Appeal decision APP/K2420/W/15/3004910 (**Appendix 2**) provides further evidence for developer contributions towards necessary policing infrastructure required to enable effective policing of new housing development. The Planning Inspector supported the methodology used for this calculation and compliance with the specific capital infrastructure items detailed in our request.

44. Leicestershire Police (LP) have demonstrated adequately that the sums request would be spent on a variety of essential equipment and services, the need for which would arise directly from the new households occupying the proposed development. It would be necessary, there, in order to provide on-site and off-site infrastructure and facilities to serve the development commensurate with its scale and nature consistent with LP Policy IMP1. The planning contribution would also enable the proposed development to comply with the Framework's core planning principle of supporting local strategies to improve health, social and cultural wellbeing and delivering sufficient community facilities to meet local needs.'

In respect of the methodology used for this request the same Planning Inspector stated 47 – *I consider this to be a no less realistic and robust method of demonstrating the criminal incidents likely to arise in a specific area than the analysis of population data which is normally used to calculate the future demand for school places. The evidence gives credence to the additional calls and demands on the police service predicted by LP'.*

A financial contribution towards essential policing infrastructure is clearly essential to make new housing

development acceptable in planning terms. The policing infrastructure items outlined in this request are essential to help support new officers required due to population growth and most importantly keep existing and future residents of North Hertfordshire safe.

2. Directly related to the proposed development

There is a functional link between new development and the contributions requested. Put simply without new development taking place and the subsequent population growth there would be no requirement for the additional infrastructure. The additional population growth will lead to an increase in incidents, which will require a Police response.

The infrastructure outlined in this request has been specifically identified by the Hitchin Rural Policing Team policing the area of North Hertfordshire as necessary to deal with the likely form, scale and intensity of incidents this new housing development will generate.

3. Fairly and reasonably related in scale and kind to the proposed development

Securing proportionate developer contributions towards necessary capital expenditure is essential to help meet a proportionate increase in police infrastructure costs and to enable Hertfordshire Police to maintain its current level of service in the borough. This infrastructure has been identified by Hertfordshire Police as necessary to provide an appropriate level of policing to serve the proposed development and maintain the existing high level of community safety.

A clear numerical, evidence-based approach has been demonstrated which is supported by case law and recent appeal decisions by the Planning Inspectorate. The various items of capital expenditure and infrastructure requested are considered CIL compliant and are necessary to enable new officers to undertake their role to meet the policing needs of the development and mitigate impacts to existing resources. A reasonable and proportionate approach has been adopted.

We would also highlight two recent appeal decisions in Leicestershire (APP/F2415/A/12/2179844 & APP/X2410/A12/2173673, **Appendix 2**). In assessing the request from Leicestershire police for developer contributions towards infrastructure the Inspector commented at **para 29** of decision 2179844;

The written evidence submitted by Leicestershire Police detailed the impact the proposed development would have on policing, forecasting the number of potential incidents and the anticipated effect this would have on staffing, accommodation, vehicles and equipment. In view of the requirement of national planning policy to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life, it is considered that, on the evidence before me, a contribution towards policing is necessary to make the development acceptable in planning terms.'

Furthermore, with regard to appeal decision 2173673, the Inspector is unequivocal in highlighting the acceptability of police contributions being recipients of developer's contributions;

Adequate policing is so fundamental to the concept of sustainable communities that I can see no reason, in principle, why it should be excluded from the purview of S106 financial contributions, subject to the relevant tests applicable to other public services. There is no reason, it seems to me why police equipment and other items of capital expenditure necessitated by additional development should not be so funded, alongside, for example, additional classrooms and stock and equipment for libraries.' [**Para 292**]

These appeal decisions confirm that the approach of Hertfordshire Police to assess the impact of development, having regard to an assessment of the potential number of incidents generated by growth is appropriate, and fundamentally it confirms that police infrastructure should be subject to developer contributions as the provision of adequate policing is fundamental to the provision of sustainable development.

Furthermore, the requirement to ensure that crime and the fear of crime is addressed through the planning process runs through the revised NPPF (December 2024).

Paragraph 20(b) retains reference to 'security infrastructure' and advises that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

*b) Infrastructure for transport, telecommunications, **security**, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat).*

Paragraph 96(b) advises that planning policies should aim to achieve healthy, inclusive and safe places which:

*b) are safe and accessible, so that **crime and disorder**, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian routes and cycle routes, and high quality public space, which encourage the active and continual use of public areas.'*

Paragraph 102 outlines the importance of engaging with the security services to inform planning policy decision and promote public safety and defense requirements. This will be achieved by:

a) Anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant area (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and

b) Recognising and supporting development required for operational defense and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

The Glossary to the current NPPF (December 2024) includes an entry entitled 'Essential Local Worker'. It states '*these are public sector employees who provide frontline services in areas including health, education and community safety – such as NHS Staff, teachers, police, firefighters and military personnel, social care and childcare workers*'. This recognises the emergency services as essential for the public, alongside education and health.

Paragraph 101 of the recently updated NPPF reinforces the importance of new, expanded or upgraded public service infrastructure such as police stations.

*To ensure faster delivery of other public service infrastructure such as health, **blue light**, library, adult education, university and criminal justice facilities, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. **Significant weight** should be placed on the importance of **new, expanded or upgraded public service infrastructure** when considering proposals for development.*

I trust this sets out sufficiently Hertfordshire constabularies request for infrastructure contributions relating to this development on the land Southeast of Holwell Road and North of Hambridge Way, Pirton. In the absence of developer contributions towards the provision of essential policing infrastructure, Hertfordshire Police would raise **objection**, as the additional strain placed on our resources would have a negative impact on policing of both the development and force-wide policing implications within the district.

I am more than happy to discuss the content of this submission with yourselves and support with any further evidence if considered necessary.

Yours sincerely,

Kerry Macdonald

**Kerry Macdonald
Estates Surveyor
Estate & Facilities
Hertfordshire Constabulary**

Appendix 1 – Jelson Ltd vs Secretary of State and Local Government (1) Hinkley and Bowsorth District Council

Appendix 2 – Examples of appeal decisions supporting police contributions

- APP/P1614/W/24/3348402 - Land at Gloucester Street, Newent, Gloucestershire, GL18 1HA.
- APP/Y3615/W/23/3320175 – Land at the Former Wisley Airfield, Hatch Lane, Ockham, Surrey
- APP/E3715/W/21/3268629 – Land North of Coventry Road, Long Lawford, CV23 9BT
- APP/T3725/W/21/3270663 - Land South of Chesterton Gardens, Leamington Spa
- APP/W3710/W/20/3251042 - North Warwickshire and South Leicestershire College, Hinckley Road, Nuneaton, CV11 6LS
- APP/Y0435/W/20/3251121 - Land at Brickhill Street, South Caldecotte, Milton Keynes, MK17 9FE
- APP/R3705/W/19/3234056 - Land East of Islington Farm, Tamworth Road, Wood End, Warwickshire
- APP/R3705/W/18/3196890 – Land to the south of Tamworth Road and to the west of the M42, Tamworth, B78 1HU
- APP/C3810/W/17/3187601 – Land west of Church Lane and south of Horsemere Green Lane, Climping, West Sussex, BN17 5RY
- APP/R3650/V/17/3171287 – Dunsfold Park, Stovolds Hill, Cranleigh, Surrey, GU6 8TB
- APP/R1845/W/17/3173741 – Land off The Lakes Road, Bewley, Worcestershire, DY12 2BP
- APP/C3105/W/17/3172731 – White Post Road, Banbury.
- APP/C3105/W/16/3163551 – Land off Howes Lane and Middleton Stoney Road, Bicester, Oxfordshire
- APP/C3810/V/16/3143095 – Land east of Fontwell Avenue, Fontwell, West Sussex, BN18 0SB
- APP/E3715/W/16/3147448 – Land at Ashlawn Road West, Rugby, Warwickshire
- APP/C3240/W/16/314445 – Land east of Kestrel Close / Beechfields Way, Newport, Shropshire
- APP/K2420/W/15/30004910 – Land off Sherbourne Road, Burbage, Leicestershire
- APP/G2435/A/14/2228806 – Money Hill, Land North of Wood Street, Ashby-de-la-Zouch, Leicestershire
- APP/X241-/W/15/3007980 – Land rear of 62 Iveshead Road, Shepshead, LE12 9ER
- APP/T3725/A/14/2221613 – Land at the Asps, bound by Europa Way (A452) to the east and Banbury Road (A425) to the west
- APP/T3725/A/14/2229398 – Land South of Gallows Hill / West of Europa Way, Heathcote, Warwick
- APP/G2435/W/15/3005052 – Land South of Greenhill Road, Coalville, Leicestershire
- APP/Q3115/A/14/2222595 – Land north of Littleworth Road, Benson
- APP/A2470/A/14/2222210 – Greetham Garden Centre, Oakham Road, Greetham, Oakham
- APP/A2470/A/14/2227672 – Land to the rear of North Brook Close, Greetham, Rutland
- APP/L2440/A/14/2216085 – Land at Cootage Farm, Glen Road, Oadby, Leicestershire
- APP/Y2430/A/14/2224790 - Land to the east of Nottingham Road, Melton Mowbray, Leicestershire
- APP/2460/A/14/2213689 – Land rear of 44-78 Ashby Road, Hinkley, Leicestershire
- APP/K2420/A/13/2208318 – Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire
- APP/F2415/A/14/2217536 – Land off Fairway Meadows, Ullesthorpe, Leicestershire
- APP/K2420/A/13/2202658 & APP/A/13/2210904 – Land off (to the south of Spinney Drive and land off (to the east of) Brookside, Barlestone, Leicestershire
- APP/H1840/A/13/2199085 & APP/H1840/A/13/2199426 – Land off Pulley Lane, Newland Road and Primslad Way, Droitwich Spa



**Police & Crime
Commissioner**
FOR HERTFORDSHIRE

Table 1: Infrastructure requirements requested from application 25/01696/OP

Topic	Infrastructure	Area	Cost per item	QTY	Total cost		Timing of delivery
Policing	Officer recruitment, equipment and training costs	Hitchin Rural Local Policing Team (LPT/CSP)	£10,358.34	0.52	£5,386.34		Tbc
Policing	Staff recruitment, equipment and training costs	Hitchin Rural Local Policing Team (LPT/CSP)	£5,181.83	0.29	£1,502.73		Tbc
Policing	Fleet	Hitchin Rural Local Policing Team (LPT/CSP)	£23,974.60		£3,980.60		Tbc
Policing	Premises	Hitchin Police Station or nearest police presence within the district	£2,632/sqm		£18,313.19		Tbc
Policing					<u>£29,182.86</u>		